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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDWARD K. LITTLE,
Plaintiff,

No. C 04-01254 TEH

v.
CITY OF PETALUMA,
Defendant.

ORDER OF DISMISSAL

The Parties hereto, by their counsel, having advised the Court that they have agreed to a settlement of this cause,

IT IS HEREBY ORDERED that this cause be dismissed with prejudice; provided, however, that if any party hereto shall certify to this Court, with proof of service of a copy to opposing counsel, within ninety (90) days from the date of this order, that the agreed consideration for said settlement has not been delivered over, the foregoing Order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial.

Dated: Sept. 15, 2005



THELTON E. HENDERSON
UNITED STATES DISTRICT JUDGE